

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FANYA YOUNG,

Plaintiff,

No. C 14-03627 WHA

v.

THIRD AND MISSION ASSOCIATES
LLC,

REQUEST FOR RESPONSE

Defendant.

On August 11, 2014, *pro se* plaintiff, Fanya Young, an attorney, commenced this landlord-tenant dispute and filed a motion for a temporary restraining order to prevent her eviction. A hearing was held and a temporary restraining order followed. Defendants were enjoined from seeking to evict Attorney Young until a hearing on her motion for a preliminary injunction occurred, provided that she post a security deposit pursuant to Rule 65. A \$5,000 security deposit was placed with the Court (Dkt. No. 8). Attorney Young's motion for a preliminary injunction was denied and the temporary restraining order was lifted (Dkt. No. 33).


A December 18 order granted defendants' motion for a portion of that deposit (Dkt. No. 88). That order stated "[i]f either side files a notice of appeal of this order on or before **JANUARY 19, 2015**, then this order shall be stayed pending appeal. If no appeal is filed by January 19, the Clerk shall issue a check to 'The Paramount' in the amount \$763 from Attorney Young's \$5,000 deposit and return the balance to Attorney Young by **JANUARY 30, 2015.**"

1 Attorney Young filed an appeal on January 20. Defendants did not appeal. The funds
2 have not been released. On June 10, the Court of Appeals for the Ninth Circuit denied Attorney
3 Young's "emergency motion to release funds" but noted that decision was without prejudice to
4 seeking relief from the district court. Attorney Young has filed a draft order and contacted the
5 Court seeking release of the funds pursuant to the order issued on December 18.

6 Defendant is asked to inform the Court whether it has any objections to the release of the
7 balance not subject to appeal, \$4,237, plus interest accrued on that sum, to Attorney Young by

8 **JULY 9 AT NOON.**

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10 Dated: July 6, 2015.


11 WILLIAM ALSUP
12 UNITED STATES DISTRICT JUDGE
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